

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff,

v.

DIAQUAN R. TUCKER,

Defendant.

Case No. 19-CR-61-2-JPS

**ORDER**

On April 9, 2019, the government filed a seven-count Indictment in this case, charging the defendant in five counts for violations of 18 U.S.C. §§ 2113(a) and (d), 922(g)(1), 924(c)(1)(A)(ii), 924(a)(2), and 2. (Docket #5). On October 22, 2019, the parties filed a plea agreement indicating that the defendant agreed to plead guilty to Counts One, Five, and Six of the Indictment. (Docket #39).

The parties appeared before Magistrate Judge William E. Duffin on November 5, 2019, to conduct a plea colloquy pursuant to Federal Rule of Criminal Procedure 11. (Docket #46). The defendant entered a plea of guilty as to Counts One, Five, and Six of the Indictment. *Id.* After cautioning and examining the defendant under oath concerning each of the subjects mentioned in Rule 11, Magistrate Judge Duffin determined that the guilty plea was knowing and voluntary, and that the offenses charged were supported by independent factual bases containing each of the essential elements of the offenses. (Docket #46 and #47).

Thereafter, Magistrate Judge Duffin filed a Report and Recommendation with this Court, recommending that: (1) the defendant's

plea of guilty be accepted; (2) a presentence investigation report be prepared; and (3) the defendant be adjudicated guilty and have a sentence imposed accordingly. (Docket #47). Pursuant to General L. R. 72(c) (E.D. Wis.), 28 U.S.C. § 636(b)(1)(B), and Federal Rules of Criminal Procedure 59(b) or 72(b) if applicable, the parties were advised that written objections to that recommendation, or any part thereof, could be filed within fourteen days of the date of service of the recommendation.

To date, no party has filed such an objection.

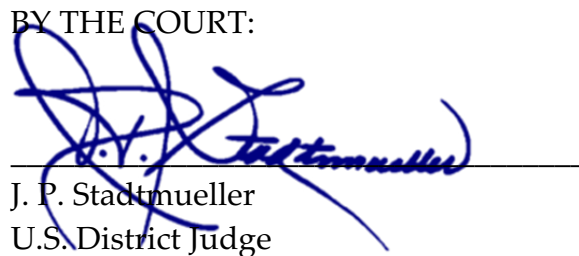
The Court has considered Magistrate Judge Duffin's recommendation and, having received no objection thereto, will adopt it.

Accordingly,

**IT IS ORDERED** that Magistrate Judge William E. Duffin's report and recommendation (Docket #47) be and the same is hereby **ADOPTED**.

Dated at Milwaukee, Wisconsin, this 27th day of November, 2019.

BY THE COURT:



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J. P. Stadtmueller  
U.S. District Judge